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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
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18 ADESA, INC., a Delaware Corporation,

19 Plaintiff,

20 vs.

21 EDWIN BERKOWITZ, an individual;
BLAKE KENNEDY, an individual,

22 Defendants.
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Case No. C 14-04022 VC

**STIPULATION AND ~~PROPOSED~~ ORDER
TO CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE AS MODIFIED**

Complaint Filed: September 4, 2014
Trial Date: None Set.

Plaintiff ADESA, Inc. (“ADESA” or “plaintiff”), defendants Edwin Berkowitz (“Berkowitz”) and Blake Kennedy (“Kennedy”) (together, the “parties”), hereby submit their Stipulation and [Proposed] Order to Extend Date to Attend the Initial Court Mandated Conference:

RECITALS

1. WHEREAS on Parties are assigned to litigate before the Honorable Vince Chhabria;
2. WHEREAS the Court issued a September 18, 2014 Order Setting the Initial Case Management Conference for December 2, 2014 at 10:00 a.m.;
3. WHEREAS Hon. Chhabria’s Civil Standing Order requires all attorneys who attend this Case Management Conference to have full authority to make decisions about any issue that may come up during the conference;
4. WHEREAS ADESA’s lead counsel is Thomas McInerney;
5. WHEREAS Mr. McInerney had already been required to be in Chapel Hill, North Carolina on December 2 for a work related reason, and thus is unavailable to attend the Case Management Conference;
6. WHEREAS the parties are amenable to moving to moving the Case Management Conference to a subsequent date, including January 6, 2015;

IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

7. Upon the approval of the Court, the parties’ Case Management Conference is continued to a later date, until **January 6, 2015**.

DATED: November 21, 2014

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Thomas M. McInerney
THOMAS M. MCINERNEY
ANDREA L. FELLION

Attorneys for Plaintiff
ADESA, INC.

1 DATED: November 21, 2014

RIMON, P.C.

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3 By: /s/ Scott R. Raber
4 SCOTT R. RABER

5 Attorneys for Defendant
6 Edwin Berkowitz

7 DATED November 21, 2014

DURIE TANGRI LLP

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9 By: /s/ Clement S. Roberts
10 CLEMENT S. ROBERTS
11 ZAC A. COX

12 Attorneys for Defendant
13 Blake Kennedy

14 **ATTESTATION OF CONCURRENCE IN FILING**

15 In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this
16 document has been obtained from Scott Raber and Clement Roberts.
17

18 DATED: November 21, 2014

OGLETREE, DEAKINS, NASH, SMOAK &
19 STEWART, P.C.

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21 By: /s/ Thomas M. McInerney
22 THOMAS M. MCINERNEY
ANDREA L. FELLION

23 Attorneys for Plaintiff
24 ADESA, INC.
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~~PROPOSED~~ ORDER AS MODIFIED

Pursuant to the Stipulation of the parties and GOOD CAUSE APPEARING, the Initial Case Management Conference is continued until ~~January 6, 2015~~. January 13, 2015.

DATED: November 26, 2014



Honorable Vince Chhabria

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